



1642-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al.

Title: ANTIBODY SPECIFIC FOR A DNA REPAIR PROTEIN

Docket No.: 800.019US4

Serial No.: 10/044,447

Filed: January 10, 2002

Due Date: N/A

Examiner: Unknown

Group Art Unit: 1642

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

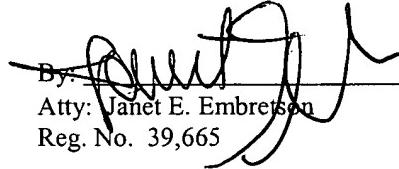
We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.), and a copy of 1 cited document.
- A check in the amount of \$180.00 to cover the fee for consideration of Information Disclosure Statement under 1.97(c).
- Declaration Under 37 C.F.R. § 1.132 (1 pg.).

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

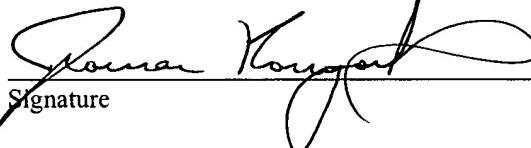
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By: 
Atty: Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15TH day of June, 2005.

Name




Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

(GENERAL)



S/N 09/837,138

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al. Examiner: Karen A. Canella
Serial No.: 09/837,138 Group Art Unit: 1642
Filed: April 18, 2001 Docket No.: 800.019US3
Title: METHODS TO ALTER LEVELS OF A DNA REPAIR PROTEIN

DECLARATION UNDER 37 C.F.R. § 1.132

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

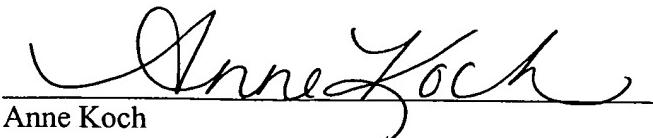
I, Anne Koch, declare and say as follows:

1. I am in the employ of the law firm of Schwegman, Lundberg, Woessner & Kluth, P.A., 1600 TCF Tower, 121 South Eighth Street, Minneapolis, Minnesota 55402, Applicant's attorney of record in the above-identified patent application.

2. I was informed by a representative of the publisher of the journal Cell that the volume containing Varon et al. (Cell, 93:467 (1998)) and Carney et al. (Cell, 93:477 (1998)) was first available on either April 30, 1998 or May 1, 1998.

3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

6-15-05
Date


Anne Koch

S/N 10/044,447



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al.
Serial No.: 10/044,447
Filed: January 10, 2002
Title:

Examiner: Unknown
Group Art Unit: 1642
Docket: 800.019US4

ANTIBODY SPECIFIC FOR A DNA REPAIR PROTEIN

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication. Pursuant to 37 C.F.R. §197(e), Applicant states that the Varon, et al. document was first cited in a related matter. A Declaration Under 37 C.F.R. § 1.132, which is to be filed in the related matter is attached hereto.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants have included the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p). Please charge any additional fees or credit any overpayment to Deposit Account No. 19-0743.

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06/17/2005 SSESHE1 180.00 OP
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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

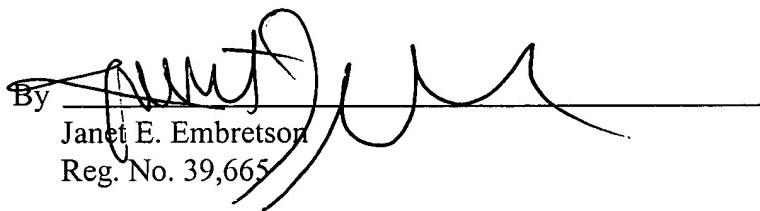
Respectfully submitted,

JOHN H. PETRINI ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6959

Date June 15, 2005

By 

Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 15TH day of June, 2005.

Name

JAMES KAVUSIK

Signature



JUN 1 1 2002
PATENT & TRADEMARK OFFICE

PTO/SB/08A(10-01)
Approved for use through 10/31/2002 OMB 651-0031
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		<i>Complete if Known</i>	
		Application Number	10/044,447
		Filing Date	January 10, 2002
		First Named Inventor	Petrini, John
		Group Art Unit	1642
		Examiner Name	Unknown
Sheet 1 of 1		Attorney Docket No: 800.019US4	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		VARON, R., et al., "Nibrin, a Novel DNA Double-Strand Break Repair Protein, Is Mutated in Nijmegen Breakage Syndrome", <u>Cell Press</u> , 93, (May. 1, 1998),467-476	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached